

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

ELIJAH MCCANT FINLEY,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:07-cv-00280-MEF-CSC
)	
JAY JONES, et al.)	
)	
Defendants.)	

MOTION FOR EXTENSION OF TIME TO FILE SPECIAL REPORT AND ANSWER

COME NOW Lee County Sheriff Jay Jones, Defendant in the above-styled cause, and moves this Court to grant him an extension of time to file his Special Report and Answer. As grounds for this Motion, this Defendant states as follows:

1. The Court ordered Defendant to file his Special Report and Answer on June 29, 2007.
2. The gathering of information with which to formulate the Special Report has taken longer than expected. Both Defendant and counsel for Defendant have been out of town recently and have only recently met for the purpose of ascertaining the facts of the case and obtaining the documents located at the Lee County Sheriff's Department relevant to Plaintiff's allegations. In addition, it may be necessary to obtain additional documents relating to the Plaintiff's incarceration made the basis of his Complaint.
3. Defendant is in need of this additional time to fully respond to the Plaintiff's allegations.
4. Plaintiff will not be prejudiced by the requested extension.

WHEREFORE, PREMISES CONSIDERED Defendant respectfully requests this Honorable Court grant his Second Motion for Extension of Time to file his Special Report and Answer up to and including July 13, 2007.

Respectfully submitted this 28th day of June, 2007.

s/Ashley Hawkins Freeman

ASHLEY HAWKINS FREEMAN Bar No. FRE044

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CERTIFICATE OF SERVICE

I hereby certify that on this the **27th** day of **June, 2007**, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

Elijah McCant Finley
Lee County Detention Facility
P.O. Box 2407
Opelika, AL 36803

s/Ashley Hawkins Freeman

OF COUNSEL